

DETAILED ACTION

1. This office action is in response to the preliminary amendment filed on March 22, 2004, in which claims 1-10 were canceled and claims 11-20 are presented for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 11-20 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment

Information Disclosure Statement

3. The information disclosure statement (IDS) filed on February 14, 2007 complies with the provisions of M.P.E.P 609. It has been placed in the application file. The information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claims 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 13 and 14 recite, "which it is closest". Pronouns are not permitted, only what is being referred by "it" should set forth in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chakrabarti et al., (hereinafter "Chakrabarti") US Patent no.6,389,436 and Snyder et al., (hereinafter "Barney") US Patent no. 6,038,561.

As to claim 11, Chakrabarti discloses the claimed "providing user-prescribed categories, which were specified by a user;" (which the topic hierarchies 500 and 502 that manually pre classified by the users (col.15, lines 35-36); "retrieving a corpus of patent information from a database, wherein the patent information is information from multiple patent documents" (first corpus of the IBM patent server, which provides a corpus patent information (col.15, lines 37-42).

Applicant should duly note that during training, each sample document has a pre-assigned class, and hypertext classifier, which permit to explore any neighborhood of the sample and to know the assigned classes of document in the neighborhood. Chakrabarti does not explicitly disclose the claimed "analyzing said patent information to generate a category metric corresponding to user-prescribed categories and "associating said category metric with said patent information" However, Chakrabarti discloses a category of probability vector of (0.2, 0.1, 0.15, 0.4) (col.6, lines 64-65); wherein said category probability vector is associated with the document information with the patent information (col.6, lines 66-67) and "storing said associated metric in

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a computer-readable dataset” wherein such associated metric is stored in the IBM patent server (col.15, lines 35-37).

Snyder, on the other hand, discloses the claimed “analyzing said patent information to generate a category metric corresponding to user-prescribed categories” by analyzing and displaying information contained in a plurality of documents employing both term based analysis and conceptual representation analysis, see abstract; col.3, lines 27-31); and “associating said category metric with said patent information” by linking a particular reported patents of interest and one or more ratings according to the determining of the patent metric (col.23, lines 13-27), “associated the patent metric with the patent information”, (col.23, lines 20-27). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Chakrabarti by the patent analysis system of Snyder. Chakrabarti and Snyder are both directed to the same field of endeavor. One having ordinary skill in the art would have found it motivated to use such modification for the purpose of statistically providing accurate probabilities of a desired value or quality being present or a future event occurring, given the analysis of the generated patent information.

As to claim 12, Chakrabarti discloses the claimed “wherein said patent information includes patent classification information and wherein said analyzing step is performed by defining a plurality of categories and mapping classification information onto said categories” (wherein the linkage between related topics among patents; patent on regulator system refers to transmission patent classification and patent on modulation cite on Oscillator patent classification (col.9, lines 55-59).

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As to claim 13, Chakrabarti and Barney disclose substantially the invention as claimed. In addition, Snyder discloses the claimed “wherein said patent information includes claim text information to be analyzed” (col.3, lines 30-31); “defining an eigenspace representing a training population of training claims each training claim having associated training text”(eigenspace is the statistic probability that represents the population training claims, wherein the criterion variables measure a selected quality of interest of a particular patent population (col.5, lines 10-17); “representing at least a portion of said training claims in said eigenspace and associating a predefined category with each training claim in said eigenspace” assigning the probability value to each training claim (col.7, lines 19-25) ; and “projecting the claim text information to be analyzed into said eigenspace and associating with said projected claim text the predefined category of the training claim to which it is closest within the eigenspace” providing matching of similarity by comparing the relatedness of one or more training claim in order to identify related or similar patents within a portfolio (col.16, lines 60-63).

As to claim 14, Chakrabarti discloses the claimed “providing user-prescribed categories, which were specified by a user;” (which the topic hierarchies 500 and 502 that manually pre classified by the users (col.15, lines 35-36); “retrieving a corpus of patent information from a database, wherein the patent information is information from multiple patent documents” (first corpus of the IBM patent server, which provides a corpus patent information (col.15, lines 37-42).

Applicant should duly note that during training, each sample document has a pre-assigned class, and hypertext classifier, which permit to explore any neighborhood of the sample and to know the assigned classes of document in the neighborhood. Chakrabarti does not explicitly disclose

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the claimed “analyzing said patent information to generate a category metric corresponding to user-prescribed categories and “associating said category metric with said patent information”; defining an eigenspace representing a training population of training claims each training claim having associated training text”; “representing at least a portion of said training claims in said eigenspace and associating a predefined category with each training claim in said eigenspace”; and “projecting the claim text information to be analyzed into said eigenspace and associating with said projected claim text the predefined category of the training claim to which it is closest within the eigenspace. However, Chakrabarti discloses a category of probability vector of (0.2, 0.1, 0.15, 0.4) (col.6, lines 64-65); wherein said category probability vector is associated with the document information with the patent information (col.6, lines 66-67) and “storing said associated metric in a computer-readable dataset” wherein such associated metric is stored in the IBM patent server (col.15, lines 35-37). Snyder discloses the claimed “wherein said patent information includes claim text information to be analyzed” (col.3, lines 30-31); “defining an eigenspace representing a training population of training claims each training claim having associated training text”(eigenspace is the statistic probability that represents the population training claims, wherein the criterion variables measure a selected quality of interest of a particular patent population (col.5, lines 10-17); “representing at least a portion of said training claims in said eigenspace and associating a predefined category with each training claim in said eigenspace” assigning the probability value to each training claim (col.7, lines 19-25) ; and “projecting the claim text information to be analyzed into said eigenspace and associating with said projected claim text the predefined category of the training claim to which it is closest within the eigenspace” providing matching of similarity by comparing the relatedness of one or

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more training claim in order to identify related or similar patents within a portfolio (col.16, lines 60-63); and "projecting the claim text information to be analyzed into said eigenspace and associating with said projected claim text the predefined category of the training claim to which it is closest within the eigenspace" providing matching of similarity by comparing the relatedness of one or more training claim in order to identify related or similar patents within a portfolio (col.16, lines 60-63; col.24, lines 5-20). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Chakrabarti by the patent analysis system of Snyder. Chakrabarti and Snyder are both directed to the same field of endeavor. One having ordinary skill in the art would have found it motivated to use such modification for the purpose of statistically providing accurate probabilities of a desired value or quality being present or a future event occurring, given the analysis of the generated patent information.

As to claim 15, Snyder discloses the claimed "wherein said patent information includes patent classification information and wherein said analyzing defining a plurality of categories and mapping classification information onto said categories" (col.17, lines 20-27).

As to claim 16, Snyder discloses the claimed "wherein said patent information includes using both patent classification information and linguistic analysis results to determine said category metrics to be associated with the patent documents" (col.16, lines 14-18).

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As to claim 17, Snyder discloses the claimed “wherein the category metrics are indicative of technical areas of the patent documents”(col.23, lines 20-27).

As to claim 18, Snyder discloses the claimed “ retrieving text of claims from the database, wherein the text of claims are from the plurality of patent documents” (col.12, lines 26-36); “analyzing the text of the claims in order to generate claim breadth metrics for the claims, wherein a claim breadth metric is indicative of claim breadth of a claim, wherein the claim breadth metrics are used to analyze the claims” (col.14, lines 10-20).

As to claim 19, Snyder discloses the claimed “ wherein values of the category metrics are predetermined” (col.23, lines 13-27).

As to claim 20, Snyder discloses the claimed “wherein values of the category metrics are dynamically determined” (col.4, lines 50-56; col.23, lines 13-27).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

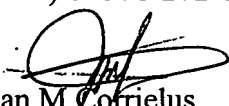
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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jean M. Corrielus
Primary Examiner
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April 24, 2007